

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
AT LAW AND IN ADMIRALTY

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.

APPROXIMATELY \$10,527.00 IN UNITED
STATES CURRENCY,

Defendant.

VERIFIED COMPLAINT FOR CIVIL FORFEITURE IN REM

The United States of America, by its attorneys, Matthew D. Krueger, United States Attorney for the Eastern District of Wisconsin, and Lisa T. Warwick, Assistant United States Attorney for this district, alleges the following in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

Nature of the Action

1. This is a civil action to forfeit property to the United States of America, under 21 U.S.C. § 881(a)(6), for violations of 21 U.S.C. § 841(a)(1).

The Defendant In Rem

2. The defendant property, approximately \$10,527.00 in United States currency, was seized on or about July 10, 2020, from Muhnnad Wardeh at 1XXX E. Royall Place, Apt. 4XX, Milwaukee, Wisconsin.

3. The defendant property is presently in the custody of the United States Marshal Service in Milwaukee, Wisconsin.

Jurisdiction and Venue

4. This Court has subject matter jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a).

5. This Court has *in rem* jurisdiction over the defendant property under 28 U.S.C. § 1355(b).

6. Venue is proper in this district under 28 U.S.C. § 1355(b)(1), because the acts or omissions giving rise to the forfeiture occurred, in part, in this district.

Basis for Forfeiture

7. The defendant property, approximately \$10,527.00 in United States currency, is subject to forfeiture to the United States of America under 21 U.S.C. § 881(a)(6) because it was used or intended to be used in exchange for controlled substances, represents proceeds of trafficking in controlled substances, or was used or intended to be used to facilitate a violation of 21 U.S.C. § 841(a)(1).

Facts

8. Marijuana is a Schedule I controlled substance under 21 U.S.C. § 812.

9. Tetrahydrocannabinol (“THC”) is a Schedule I controlled substance under 21 U.S.C. § 812.

10. Cocaine is a Schedule II controlled substance under 21 U.S.C. § 812.

Background

11. In July 2018, a confidential informant identified Muhnnad Wardeh as one of three members of a drug trafficking organization (“DTO”).

A. The DTO collectively sold approximately 20,000 THC cartridges per month.

- B. The 20,000 THC cartridges that the DTO sold each month had a street value at the time of approximately \$800,000 to \$2,000,000.
- C. Muhnnad Wardeh purchased approximately 50 pounds or more of marijuana each month from a source in Colorado.

12. On October 5, 2018, officers executed a search warrant at the then-residence of Muhnnad Wardeh, 4XX E. Pleasant Street, Apt. 5XX, Milwaukee, Wisconsin. No one was present during the search. Inside the residence were the following:

- A. Approximately 729 THC cartridges;
- B. Numerous empty boxes, vacuum-sealed packaging, and vials indicative of liquid THC trafficking;
- C. Drug ledgers;
- D. An electronic money counter; and
- E. Approximately \$12,952 in United States currency (not included in this case).

13. On October 5, 2018, officers also located and arrested Muhnnad Wardeh.

- A. At the arrest location, officers seized Wardeh's vehicle and obtained a search warrant for the vehicle. Inside the vehicle were approximately 47 THC cartridges and approximately \$343 in United States currency (not included in this case).
- B. At the arrest location, officers seized Wardeh's cell phone and obtained a search warrant for the cell phone. The cell phone contained evidence that Wardeh had sold thousands of THC cartridges since at least May 2018.

14. On April 26, 2020, officers received an anonymous tip regarding Muhnnad Wardeh's drug trafficking. The tipster reported having first-hand knowledge of the following:

- A. Wardeh traveled between Milwaukee, Madison, and Chicago to sell drugs.
- B. Wardeh sold powder cocaine and marijuana on a scale involving "suitcase" quantities of money – "over \$10,000 a day."
- C. Wardeh conducted multiple transactions of cash at Wardeh's apartment, 1XXX E. Royall Place, Apt. 4XX, Milwaukee, Wisconsin.

July 10, 2020, execution of search warrant at Muhnnad Wardeh's residence, 1XXX E. Royall Place, Apt. 4XX, Milwaukee, Wisconsin

15. On July 10, 2020, officers executed a search warrant at the residence of Muhnnad Wardeh, 1XXX E. Royall Place, Apt. 4XX, Milwaukee, Wisconsin (the "subject residence").

16. Muhnnad Wardeh was present at the subject residence during execution of the search warrant.

17. On July 10, 2020, the following items, among other things, were in the subject residence:

A. In the kitchen and dining room:

- i. One vacuum sealed bag containing approximately 350.47 grams of marijuana.
- ii. Two jars and two baggies containing a total of approximately 26.97 grams of marijuana.
- iii. Approximately 50 vacuum seal bags containing marijuana residue.

B. In the bedroom:

- i. A total of approximately 137 THC cartridges.
- ii. One box containing six vacuum sealed bags of marijuana with approximate weights of 454.09 grams, 452.03 grams, 449.29 grams, 443.67 grams, 452.22 grams, and 449.79 grams. The bags were labeled with names of various strains of marijuana.
- iii. Seven vacuum seal bags containing marijuana residue.
- iv. One bag containing rubber bands and money strips.
- v. One digital money counter.
- vi. Four baggies containing a total of approximately 25.32 grams of marijuana.
- vii. One \$1 bill rolled up and containing approximately 0.02 grams of cocaine

- C. Throughout the residence was a total of approximately \$10,527.00 in United States currency.

18. A drug detection canine gave a positive alert to the odor of a controlled substance on the approximately \$10,527.00 in United States currency.

19. As described in paragraph 17, controlled substances located in the subject residence on July 10, 2020, included the following:

- A. A total of approximately 3,103.85 grams of marijuana;
- B. A total of approximately 137 THC cartridges; and
- C. Approximately 0.02 grams of cocaine.

Muhnnad Wardeh's State Drug Charges

20. On July 13, 2020, Muhnnad Wardeh¹ was charged in Milwaukee County Circuit Court, Case No. 20CF2428, with possession of marijuana with intent to deliver and with maintaining a drug trafficking place.

Warrant for Arrest In Rem

21. Upon the filing of this complaint, the plaintiff requests that the Court issue an arrest warrant *in rem* pursuant to Supplemental Rule G(3)(b), which the plaintiff will execute upon the defendant property pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

Claims for Relief

22. The plaintiff alleges and incorporates by reference the paragraphs above.

23. By the foregoing and other acts, the defendant property, approximately \$10,527.00 in United States currency, was used or intended to be used in exchange for controlled substances, represents proceeds of trafficking in controlled substances, or was used or intended to be used to facilitate a violation of 21 U.S.C. § 841(a)(1).

¹ Muhnnad Wardeh's name is listed as "Muhanad Wardeh" for Milwaukee County Case No. 20CF2428 in Wisconsin's online Consolidated Court Automation Program (CCAP).

24. The defendant approximately \$10,527.00 in United States currency is therefore subject to forfeiture to the United States of America under 21 U.S.C. § 881(a)(6).

WHEREFORE, the United States of America prays that a warrant of arrest for the defendant property, approximately \$10,527.00 in United States currency, be issued; that due notice be given to all interested parties to appear and show cause why the forfeiture should not be decreed; that judgment declare the defendant property to be condemned and forfeited to the United States of America for disposition according to law; and that the United States of America be granted such other and further relief as this Court may deem just and equitable, together with the costs and disbursements of this action.

Dated at Milwaukee, Wisconsin, this 2nd day of December, 2020.

Respectfully submitted,

MATTHEW D. KRUEGER
United States Attorney

By: /s/ Lisa T. Warwick
LISA T. WARWICK
Assistant United States Attorney
Wisconsin Bar No. 1017754
Attorney for Plaintiff
Office of the United States Attorney
Federal Building, Room 530
517 East Wisconsin Avenue
Milwaukee, WI 53202
Telephone: (414) 297-1700
Fax: (414) 297-4394
lisa.warwick@usdoj.gov

Verification

I, Scott J. Marlow, hereby verify and declare under penalty of perjury that I am a Special Agent with the Drug Enforcement Administration (“DEA”) in Milwaukee, that I have read the foregoing Verified Complaint for Civil Forfeiture *in rem* and know the contents thereof, and that the factual matters contained in paragraphs 8 through 19 of the Verified Complaint are true to my own knowledge.

The sources of my knowledge and information are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent with DEA.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Date: 12/01/2020

s/SA SCOTT MARLOW
Scott J. Marlow
Special Agent
Drug Enforcement Administration

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

Place an "X" in the appropriate box: ☐ Green Bay Division ☒ Milwaukee Division

I. (a) PLAINTIFFS

UNITED STATES OF AMERICA

(b) County of Residence of First Listed Plaintiff _____

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Lisa T. Warwick, AUSA

US Attorney's Office, #530 Federal Building

517 E. Wisconsin Avenue, Milwaukee, WI 53202 (414-297-1700)

DEFENDANTS

APPROXIMATELY \$10,527.00 IN UNITED STATES CURRENCY

County of Residence of First Listed Defendant Milwaukee

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION

(Place an "X" in One Box Only)

☒ 1 U.S. Government Plaintiff

☐ 3 Federal Question (U.S. Government Not a Party)

☐ 2 U.S. Government Defendant

☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(Place an "X" in One Box for Plaintiff)

(For Diversity Cases Only)

and One Box for Defendant

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT

(Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Med. Malpractice	<input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIW W (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
		IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee (Prisoner Petition) <input type="checkbox"/> 465 Other Immigration Actions	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN

(Place an "X" in One Box Only)

☒ 1 Original Proceeding

☐ 2 Removed from State Court

☐ 3 Remanded from Appellate Court

☐ 4 Reinstated or Reopened

☐ 5 Transferred from another district (specify)

☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
21 USC § 881(a)(6)

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND:

☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

12/02/2020

s/LISA T. WARWICK

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT PAID BY DEBTOR: Case 2:20-cv-01781-NJ Filed 12/02/20 Page 1 of 1 Document 1-1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
AT LAW AND IN ADMIRALTY

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.

APPROXIMATELY \$10,527.00 IN UNITED
STATES CURRENCY,

Defendant.

WARRANT FOR ARREST IN REM

To: THE UNITED STATES MARSHAL
Eastern District of Wisconsin

WHEREAS, a Verified Complaint for Civil Forfeiture *in rem* was filed on the 2nd day of December, 2020, by the United States Attorney for the Eastern District of Wisconsin, which seeks the forfeiture of the above-named defendant property pursuant to Title 21, United States Code, Section 881(a)(6), and which prays that process issue to enforce the forfeiture and to give notice to all interested parties to appear before the court and show cause why the forfeiture should not be decreed; and due proceedings being had, that the defendant property be condemned and forfeited to the use of the United States of America.

YOU ARE THEREFORE HEREBY COMMANDED to attach and arrest the defendant property, approximately \$10,527.00 in United States currency, which was seized on or about July 10, 2020, from Muhnnad Wardeh at 1XXX E. Royall Place, Apt. 4XX, Milwaukee, Wisconsin, and which is presently in the custody of the United States Marshal Service in

Milwaukee, Wisconsin, in the Eastern District of Wisconsin, and to detain the same until further order of this Court.

Dated this ____ day of _____, 2020, at Milwaukee, Wisconsin.

GINA COLLETTI
Clerk of Court

By:

Deputy Clerk

Return

This warrant was received and executed with the arrest of the above-named defendant.

Date warrant received: _____

Date warrant executed: _____

Name and title of arresting officer: _____

Signature of arresting officer: _____

Date: _____